IN THE HIGH COURT OF JUDICATURE OF
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR. JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION NO. 10917 OF 2007

Dated : May 24, 2007

Between:

R.Shankar

Petitioner

AND

The Revenue Divisional Officer
Nizamabad and others

Respondents

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ORAL ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue.

As the assignment made in favour of the petitioner was cancelled on 23.02.2007 by the respondent No.2, the same was questioned by way of an Appeal filed on 16.03.2007 before the Revenue Divisional Officer, Nizamabad – 1st respondent herein. Along with the appeal, the petitioner filed an application for stay of the orders passed by the respondent No.2.

The grievance of the petitioner is that though the respondent No.1 has received the appeal along with the application for stay, he has not passed any order and that the respondent No.2 is threatening to dispossess the petitioner from the subject lands.

Having regard to the fact that appeal filed by the petitioner along with stay petition is pending before the respondent No.1, it is not proper for the respondent No.2

to dispossess the petitioner pending appeal.

Therefore, the writ petition is disposed of with a direction to the respondent No.2 not to dispossess the petitioner from the lands to an extent of Ac.2.20 cents in Sy. No. 683/3 of Dasnagar hamlet of Borgaon (K) village, Makloor Mandal, Nizamabad District, till disposal of the appeal by the respondent No.1. There shall be no order as to costs.

C.V. NAGARJUNA REDDY, J

Dated: 24.05.2007

CC in two days.
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